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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/751,326

01/02/2004

Nizar A. Mullani

GENLC-009A

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7590

06/17/2005

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EXAMINER

HUSAR, STEPHEN F

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/751,326	MULLANI, NIZAR A.	
	Examiner	Art Unit	
	Stephen F. Husar	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 20-22 and 24-48 is/are allowed.
- 6) ☒ Claim(s) 1-5, 9, 10, 13-15 and 19 is/are rejected.
- 7) ☒ Claim(s) 6-8, 11, 12, 16-18 and 23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>2/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 14 and 15 are objected to because of the following informalities: note that the word "florescent" is misspelled in these claims. Appropriate correction is required.
2. Claim 23 is objected to because of the following informalities: claim 23 is redundant with claim 2 in that both depend on claim 1 and set forth the same limitation. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 13-15, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by JASGUR (3711182). Jasgur shows in Fig.2 a polarized image reflecting surface "14" and a least one polarized illumination source "17,18" in which the light and image reflected are cross-polarized. Re claim 2, note the orthogonal configuration of the arrows "15" and "20" in Fig.2. Re claim 3, note that polarizing window "19" may rotate as shown by "A1". Re claims 13-15, Fig.3 shows incandescent lamps and Fig.2 shows curved fluorescent lamps "17,18".
5. Claims 1-3, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by JASGUR (4070096). Jasgur shows in Figs.1 and 2; a polarized image reflecting surface

"12" and a polarized light source "23" in which the image reflection and polarized light from the source are cross-polarized as shown by arrows "13 and 18" in Fig.1. Re claim 3, note that lever "16" in Fig.1 varies the angle of the two polarization planes. Re claim 9, note Fig.2 that the polarized mirror "12" is a flat mirror. Re claim 10, note in Fig.2 that polarized mirror "11" is a magnifier mirror, see col.3 ,lines 32-35.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jasgur (3711182). Claims 4 and 5 distinguish over Jasgur only in that these claims recite that the image reflecting mirror rotates while in Jasgur the lamp polarizing window "19" rotates. It is well known that a reversal of parts is an obvious expedient (see MPEP 2144.04; *In re Gazda*, 219 F.2d449, 104 USPQ 400 (CCPA 1955)). It would have been obvious to one of ordinary skill in the art at the time of the invention to reverse the

rotatability of Jasgurs' lamp window to that of Jasgur's image reflecting mirror to simplify the ease of adjustment.

Allowable Subject Matter

9. Claims 6-8, 11, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
10. Claims 20-22 and 24-48 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen F. Husar whose telephone number is 571-272-2371. The examiner can normally be reached on M-W and F from 7:30-4:00.

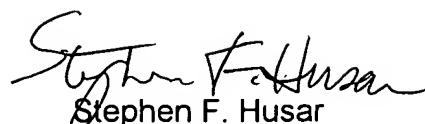
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read "Stephen F. Husar". The signature is fluid and cursive, with the first name "Stephen" and last name "Husar" being clearly legible, and "F." as a middle initial.

Stephen F. Husar

Primary Examiner

Art Unit 2875

SFH